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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,009	06/27/2003	James R. Hansen	11333-023001	8332
26161	7590	04/07/2005		EXAMINER
FISH & RICHARDSON PC				PHAM, TOAN NGOC
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BOSTON, MA 02110			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

A1

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/609,009	HANSEN, JAMES R.
	Examiner Toan N Pham	Art Unit 2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-102 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 100-102 is/are allowed.
- 6) Claim(s) 1-15, 19-23, 25-29, 31-46, 50-55, 57-61, 63-79, 83-88 and 90-99 is/are rejected.
- 7) Claim(s) 16-18, 24, 30, 47-49, 56, 62, 80-82 and 89 is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

<ol style="list-style-type: none"> <li>1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3)<input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>03/17/04</u>.</li> </ol>	<ol style="list-style-type: none"> <li>4)<input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____.</li> <li>5)<input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6)<input type="checkbox"/> Other: ____.</li> </ol>
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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-11, 14, 15, 19-22, 26-28, 31-34, 36-42, 45, 46, 50-54, 58-60, 63-66, 68-75, 78, 79, 83-87, 91-93, and 95-99 are rejected under 35 U.S.C. 102(b) as being anticipated by Boss et al. (US 5,758,110).

Regarding claim 1: Boss et al. discloses an application sharing method comprising receiving an indication of a screen sharing condition from remote device; receiving data viewing device; hosting a screen sharing session between the remote device (11) and the viewing device (14), wherein capabilities associated with the screen sharing session based on sharing condition (col. 4, lines 18-31; Fig. 2).

Regarding claim 2: Boss et al. discloses the indication comprises a help indication, which inherently is a help indication (col. 7, lines 5-11; 41-48).

Regarding claim 3: Boss et al. discloses the indication comprises a help indication, which inherently is an indication that there is a problem (col. 7, lines 5-11; 41-48).

Regarding claims 5-6: Boss et al. discloses the indication is received as a series of pings output by the remote device (col. 14, lines 24-26).

Regarding claim 7: Boss et al. discloses the data received from the viewing device and the remote device (application 1/help 1)(col. 7, lines 41-49)

Regarding claim 8: Boss et al. discloses the hosting comprises determining an extent to which the viewing device is permitted share screen of remote device based on the predetermined rules (col. 5, lines 12-60).

Regarding claim 9: Boss et al. discloses the sharing condition comprises indication of remote device; and hosting comprises viewing device is permitted to share a screen of the remote device based on the state of the remote device (col. 5, line 40- col. 6, line 56).

Regarding claim 10: Boss et al. discloses the hosing comprises transmitting information associated with the screen sharing session between the remote device and the viewing device (col. 5, line 5-col. 6, line 56).

Regarding claim 11: Boss et al. discloses the hosing comprises transferring a file between the remote device and the viewing device (col. 8, lines 30-44).

Regarding claim 14: Boss et al. discloses transmitting graphic changes between the remote device and the viewing device, the graphic changes comprising only portions of the graphics on the remote device that are changed (col. 6, lines 19-56).

Regarding claim 15: Boss et al. discloses storing, in an audit log, information relating to the screen sharing session (col. 6, lines 11-22).

Regarding claim 19: Boss et al. discloses hosting comprises changing capabilities associated with the screen sharing session dynamically in response to a change in the screen sharing condition (col. 6, lines 11-56).

Regarding claim 20: Boss et al. discloses comprises terminating the screen sharing session or reducing an amount of control over the remove device provided via the screen sharing session (col. 6, lines 11-56).

Regarding claim 21: See claim 1 above.

Regarding claim 22: See claim 2 above.

Regarding claim 26: Boss et al. discloses the user inputs comprise mouse data and keyboard data and the graphics changes comprise updates that occurred since transmitting a previous graphics change (col. 12, lines 25-59; col. 14, lines 1-6).

Regarding claim 27: See claim 1 above.

Regarding claim 28: See claim 2 above.

Regarding claim 31: See claim 15 above.

Regarding claim 32: See claim 1 above.

Regarding claims 33 and 34: See claims 2 and 3 above.

Regarding claims 36 and 37: See claim 5 above.

Regarding claim 38: See claim 7 above.

Regarding claim 39: See claim 8 above.

Regarding claim 40: See claim 9 above.

Regarding claim 41: See claim 10 above.

Regarding claim 42: See claim 11 above.

Regarding claim 45: See claim 14 above.

Regarding claim 46: See claim 15 above.

Regarding claim 50: Boss et al. discloses the hosting comprises directing communications transmitted during the screen sharing session to one of multiple hosts (col. 4, line 18-col. 61)

Regarding claim 51: See claim 19 above.

Regarding claim 52: See claim 20 above.

Regarding claim 53: See claim 1 above.

Regarding claim 54: See claim 2 above.

Regarding claim 58: See claim 26 above.

Regarding claim 59: See claim 1 above.

Regarding claim 60: See claim 2 above.

Regarding claim 63: Boss et al. discloses executable instructions to generate a report relating to the screen sharing session (col. 4, line 18-col. 5, line 61).

Regarding claim 64: See claim 1 above.

Regarding claims 65 and 66: See claim 2 above.

Regarding claims 68 and 69: See claim 5 above.

Regarding claim 70: See claim 7 above.

Regarding claim 71: See claim 8 above.

Regarding claim 72: See claim 9 above.

Regarding claim 73: See claim 10 above.

Regarding claim 74: See claim 50 above.

Regarding claim 75: See claim 11 above.

Regarding claim 78: See claim 14 above.

Regarding claim 79: See claim 15 above.

Regarding claim 83: See claim 50 above.

Regarding claim 84: See claim 19 above.

Regarding claim 85: See claim 20 above.

Regarding claim 86: See claim 1 above.

Regarding claim 87: See claim 2 above.

Regarding claim 91: See claim 26 above.

Regarding claim 92: See claim 1 above.

Regarding claim 93: See claim 2 above.

Regarding claim 96: See claim 31 above.

Regarding claims 97-99: Boss et al. discloses the CPU (109) for driving the application (col. 4, lines 32-58); thus, the CPU system inherently includes circuitry of programmable logic, processor, memory and logic gates.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 23, 29, 35, 61, 67, 88 and 94 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boss et al. (US 5,758,110) in view of Foster et al. (US 5,583,993).

Regarding claims 4, 23, 29, 35, 61, 67, 88 and 94: Boss et al. does not disclose the indication of the timing data. Foster et al. discloses the computer sharing apparatus comprising the indication of timing data (Fig. 2a). At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize the time indication as taught by Foster et al. in a system as disclosed by Boss et al. to conveniently indicate and keep track of the screen sharing users.

Claims 12, 13, 25, 43, 44, 57, 76, 77 and 90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boss et al. (US 5,758,110) in view of Miyashita et al. (US 6,057,856).

Regarding claims 12, 13, 25, 43, 44, 57, 76, 77 and 90: Boss et al. does not disclose the utilization of the Hyper Text Transfer Protocol (HTTP). Miyashita et al. discloses network sharing system, which utilizes the well known HTTP communication technique in cyberspace, and are encrypted to safeguard personal information.

#### ***Allowable Subject Matter***

Claims 100-102 are allowed.

Claims 16-18, 24, 30, 47-49, 56, 62, 80-82, and 89 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art of Hogan (US 5,933,597), Kurashima (US 6,029,191), Dubrow et al. (US 6,570,590), and Bayraker (US 6,185,602) are cited to show a variety of application sharing systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan N Pham whose telephone number is (571) 272-2967. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 4, 2005

**TOAN N. PHAM  
PRIMARY EXAMINER**

